

what violent television programming is acceptable and what is not. In the name of protecting children, this Congress has edged closer and closer to Federal content regulation of speech in mass media. It is an unfortunate but true fact, that the propensity is high for Congress to jeopardize speech rights for the sake of political expediency.

That the United States Congress has taken the same path of countries which do not hold free speech as one of their most cherished rights—such as China and Singapore—should be of great concern to the American people.

For example, earlier this year, China passed a law allowing use of the Internet, but prohibited so-called harmful information on the Internet. According to media reports, as of September 10, Chinese officials had blocked access of China's 120,000 Internet users to more than 100 different sites on the World Wide Web. China considers "harmful information" to include sexual material, political material, and other types of news information that might somehow be harmful to China's people. China has blocked access to Web sites operated by Amnesty International and Human Rights Watch as well as to foreign media sites such as the Washington Post, Cable News Network, and the Wall Street Journal.

China also requires Internet providers to use government phone lines which allow information to be routed to government choke points where access can be blocked. And Internet users are required to register with the government. Media reports indicate, however, that the censors are already missing some sites such as the Swedish-Tibet Network and that many computer users have found ways to circumvent the ban.

Why are China's actions so significant? The Chinese Government has shown us three things. First, they have shown how fear of a new form of electronic communications leads to excessive regulation and censorship. While censorship is acceptable in China, it is repugnant and unacceptable to most citizens of the United States.

Second, they have shown us that once certain types of speech are prohibited by a government, the ban must be enforced. The regulations imposed by China to enforce their ban—the required use of government phone lines and the registration of users with the Government—has led to even greater erosion of civil liberties of the Chinese people. And third, they have shown us that speech and access prohibitions are ineffective when broadly applied to this new form of electronic communication. China's ban on certain types of speech is being circumvented. Their misguided efforts to protect the public from foreign sources of information and other sites are not likely to be effective.

Surely, the actions of the 104th Congress in approving the CDA are substantially different from the Chinese

Government's actions. Nevertheless, Mr. President, there are some striking similarities.

China reacted to the freedom of the Internet by applying the same type of controls they have used for centuries to control information—a ban on speech and prohibition on access. Similarly, Congress reacted to the presence of objectionable and offensive materials on the Internet by imposing the same types of speech restrictions that have been used in broadcasting. Both governments reacted in fear to a new and poorly understood technology by imposing overly restrictive controls that do not take into account the unique nature of the Internet. The difference is that China has a centuries-old tradition of restricting speech while Americans hold their first amendment rights among their most cherished freedoms. Governments with such vastly different values should not be following the same path on speech restrictions.

Senator LEAHY and I urged this body to take the time to study how we might more effectively protect children on the Internet without jeopardizing free speech rights. There are less restrictive and more effective means of protecting children on the Internet than the unconstitutional Communications Decency Act. Instead, like China, congressional fear of the unknown led this body down the perilous path of censorship.

Some in this body might find China's methods of enforcing the ban completely inapplicable to the Communications Decency Act. Surely, the United States would never require adults to register to use the Internet. However, the Department of Justice hasn't yet determined quite how the CDA would be effectively enforced. They have suggested credit card verification, which may not yet be viable. They have also suggested adult identification cards and tagging systems. Some involved in the debate of the CDA last year suggested that users be required to get an information superhighway drivers' license. That sounds remarkably like the registration requirements employed by the Chinese.

Mr. President, the fact is that the only way to effectively enforce the CDA is to dramatically restrict the constitutional rights of adult Americans. And that is simply unacceptable.

Congressional passage of the Communications Decency Act was a misguided attempt to reach an honorable goal—protecting children from those who seek to harm them on the Internet. While we should continue our efforts to protect children, we must seek more effective and constitutional means to achieve that goal.

The 104th Congress failed to honor its obligation to uphold the Constitution when it passed the Communications Decency Act. After the Federal District Court ruling, the Congress should have repealed the CDA—a law we knew to be unconstitutional.

I hope that the 105th Congress will repeal this unconstitutional statute soon after it convenes next year. Maybe then we can get down to the business of protecting children.●

#### MONTGOMERY COLLEGE 50TH ANNIVERSARY

● Mr. SARBANES. Mr. President, I rise today to acknowledge the many accomplishments of an exceptional institution of higher education in my own State of Maryland.

This year Montgomery College celebrates its 50th anniversary of providing quality higher and continuing education to the men and women of Montgomery County and the entire State of Maryland.

Since it began educating the men and women of Maryland 50 years ago, Montgomery College has experienced remarkable growth. From its modest beginnings with 186 students in borrowed classrooms at a local high school, Montgomery College's enrollment has increased to over 22,000 students who study at three campuses across the county in Germantown, Rockville, and Takoma Park. Over the years, half a million students have benefited from a Montgomery College education, preparing themselves for enrollment in a 4 year college and for direct entry into an increasingly high-technology workplace.

The rapid pace of technological development and the increasing complexity of our economy has created a new set of challenges for our Nation's institutions of higher education. Montgomery College has proven to be a national leader in responding to these challenges, developing a new state-of-the-art high technology and science center to be dedicated on October 10, 1996. This innovative project—a joint effort of State and local government—encompasses advanced technologies to further the educational opportunities for Maryland students and improve the economic competitiveness of our State.

Mr. President, it is my view that offering students the opportunity for a true education and helping them to develop their potential for success in our sophisticated and complex society are among the most important challenges facing our Nation. Montgomery College has risen to meet these challenges and is to be commended for its ambitious views of the future as well as its open-door admission policy, which makes that future accessible to all the citizens of Montgomery County and of Maryland.

Fifty years ago, Montgomery College was viewed as a "great experiment in higher education." It is clear from the accomplishments of the past half century that this experiment has been eminently successful in providing lifelong learning and enhanced opportunities for thousands of Marylanders.●